### Fwk –

**Every policy embodies a set of values – the role of the ballot is to vote for a policy option that engages in a productive reorientation of the values underlying our politics.**

**Espinoza ‘03**[[1]](#footnote-1)

Critical pedagogy has put forth the notion that **classroom practice integrates particular** curriculum **content** and design, **instructional strategies** and techniques, and forms of evaluation. It argues that **these specify** a particular version about **what knowledge is of most worth, what it means to know** something, **and how we might construct a representation of our world** and our place within it (McLaren 1998). From this perspective, **the pedagogical is inherently political.** For us a decolonizing pedagogy encompasses both an anticolonial and decolonizing notion of pedagogy and an anticolonial and decolonizing pedagogical praxis. It is an anticolonial and decolonizing theory and praxis that insists that colonial domination and its **ideological frameworks operate and are reproduced** in and **through** the curricular content and design, the **instructional practice**s, the social organization of learning, **and** the **forms of evaluation that** inexorably **sort** and label **students into** enduring **categories of success and failure** of schooling. Thus, an **anticolonial** and decolonizing pedagogical **praxis** explicitly **works to transform these dimensions** of schooling **so** that **schools become sites for** the **development of** a **critical** decolonizing **consciousness** and activity that work to ameliorate and ultimately end the mutually constitutive forms of violence that characterize our internal neocolonial condition. For us, a decolonizing pedagogy addresses both the means and the ends of schooling.

Policy education and practices like fiat are key to social change: state institutions aren’t ignorable, and simply pointing out problems isn’t enough. **Themba-Nixon 2k**[[2]](#footnote-2)

 Getting It in Writing Much of the work of framing what we stand for takes place in the shaping of demands. **By getting into the policy arena in a proactive manner,** we can take our demands to the next level. **Our demands can become law, with real consequences if the agreement is broken.** After all the organizing, press work, and effort, a group should leave a decisionmaker with more than a handshake and his or her word. Of course, **this work requires** a certain amount of **interaction with "the suits,"** as well as **struggles with** the **bureaucracy,** the **technical language, and** the all-too-common **resistance by decisionmakers**. Still, if it's worth demanding, it's worth having in writing-whether as law, regulation, or internal policy. From ballot initiatives on rent control to laws requiring worker protections, organizers are leveraging their power into written policies that are making a real difference in their communities. Of course, **policy work is just one tool** in our organizing arsenal, **but it is a tool we** simply **can't afford to ignore.**Making policy work an integral part of organizing will require a certain amount of retrofitting. **We** will **need to develop the capacity to translate our information**, data, **and experience** in**to** stories that are designed to **affect the public conversation [and]**. Perhaps most important, we will need to **move beyond fighting problems** and **on to framing solutions that bring us closer to our vision of how things should be**. And **then** we must be committed to **making it so.**

**And oppression is bad under any ethical theory—**theorizing comes from the interaction of different ideas, but that can only occur meaningfully if we fix conditions that exclude particular **voices**. **Medina**[[3]](#footnote-3):

Foucault invites us to pay attention to the past and ongoing epistemic battles among competing power/knowledge frameworks that try to control a given ﬁeld. Different ﬁelds—or domains of discursive interaction—contain particular discursive regimes with their **particular ways of producing knowledge.** In the battle among power/ knowledge frameworks, some come on top and **become dominant while others are** displaced and become **subjugated**. Foucault's methodology offers a way of exploiting that vibrant plurality of epistemic perspectives, which always contains some bodies of experiences and memories that are erased or hidden in the mainstream frameworks that become hegemonic after prevailing in sustained epistemic battles. What Foucault calls ‘subjugated knowledges’ are forms of experiencing and remembering that are pushed to the margins **and rendered** unqualiﬁed and **unworthy of epistemic respect** by prevailing and hegemonic discourses. Subjugated knowledges remain invisible to **mainstream perspectives**; they have a precarious subterranean existence that **render**s **them unnoticed** by most people **and impossible to detect by those who**se perspective has already **internalized** certain epistemic **exclusions.** And **with the invisibility of subjugated knowledges, certain possibilities for resistance** and subversion **go unnoticed. The critical** and emancipatory **potential** of Foucaultian genealogy **resides in challenging established practice** of remembering and forgetting **by excavating subjugated** bodies of **experiences** and memories, bringing to the fore the perspectives that culturally hegemonic practices have foreclosed.

Also means pragmatic politics is a prerequisite to Ks of the system – your methodological options are limited to those that are recognized by particular ways of knowing. Giving people the CHANCE to participate in theorizing requires concrete changes before we can figure out the best option to resist or replace dominant institutions.

### C1 Agonistic Culture

#### The principle of free speech in academic spaces affirms each person’s right to make their own decisions instead of being told what to believe by governmental or corporate interests.

Judith Butler 13, 2-7-2013, professor in the Rhetoric and Comparative Literature department at UC Berkeley. She is the author of several books on feminist theory, continental philosophy and contemporary politics, "Judith Butler’s Remarks to Brooklyn College on BDS," Nation, https://www.thenation.com/article/judith-butlers-remarks-brooklyn-college-bds/

The principle of academic freedom is designed to make sure that powers outside the university, including government and corporations, are not able to control the curriculum or intervene in extra-mural speech. It not only bars such interventions, but it also protects those platforms in which we might be able to reflect together on the most difficult problems. You can judge for yourself whether or not my reasons for lending my support to this movement are good ones. That is, after all, what academic debate is about. It is also what democratic debate is about, which suggests that open debate about difficult topics functions as a meeting point between democracy and the academy. Instead of asking right away whether we are for or against this movement, perhaps we can pause just long enough to find out what exactly this is, the Boycott, Divestment and Sanctions movement, and why it is so difficult to speak about this. I am not asking anyone to join a movement this evening. I am not even a leader of this movement or part of any of its governing committee, even though the New York Times tried to anoint me the other day—I appreciated their subsequent retraction, and I apologize to my Palestinian colleagues for their error. The movement, in fact, has been organized and led by Palestinians seeking rights of political self-determination, including Omar Barghouti, who was invited first by the Students for Justice in Palestine, after which I was invited to join him. At the time I thought it would be very much like other events I have attended, a conversation with a few dozen student activists in the basement of a student center. So, as you can see, I am surprised and ill-prepared for what has happened. Omar will speak in a moment about what the BDS movement is, its successes and its aspirations. But I would like briefly to continue with the question, what precisely are we doing here this evening? I presume that you came to hear what there is to be said, and so to test your preconceptions against what some people have to say, to see whether your objections can be met and your questions answered. In other words, you come here to exercise critical judgment, and if the arguments you hear are not convincing, you will be able to cite them, to develop your opposing view and to communicate that as you wish. In this way, your being here this evening confirms your right to form and communicate an autonomous judgment, to demonstrate why you think something is true or not, and you should be free to do this without coercion and fear. These are your rights of free expression, but they are, perhaps even more importantly, your rights to education, which involves the freedom to hear, to read and to consider any number of viewpoints as part of an ongoing public deliberation on this issue. Your presence here, even your support for the event, does not assume agreement among us. There is no unanimity of opinion here; indeed, achieving unanimity is not the goal.

#### Pedagogical spaces are the critical internal link – agonistic public spaces can only be maintained by creating a culture that educates agents to affirm it..

Henry A. Giroux 13, 12-17-2013, "Henry A. Giroux," Truthout, http://www.truth-out.org/news/item/20669-radical-democracy-against-cultures-of-violence

Radical democracy is rooted in an acceptance of its historicity and imperfectability, thus demanding a constant measure of self-questioning, criticism and critical engagement. Such a democracy implies a refusal of an endpoint, final stage or end of history narrative. Instead, it stresses what Samir Amin has termed "democratization - which stresses the dynamic aspect of a still-unfinished process."[30] Inherent in such a democracy is the need for labor to be subordinate to free time, experienced as a luxury rather than a deprivation, thus demanding a society that provides a social wage, democratized workplaces, egalitarian social services, ecologically sustainable technologies, free education and crucial social provisions. Democracy in this sense embodies an unrelenting fidelity and obligation not to perfectibility but to justice and an endless responsibility, as Jacques Derrida insists, to "the ghosts of those who are not yet born or who are already dead."[31] Matters of pedagogy must be central to any politics that embraces a notion of radical democracy. The agents necessary for such a radical democratic politics can only be constructed through a critical formative culture and public pedagogy produced largely through the media, education and other cultural apparatuses that enable people to be effective political and ethical agent who can think critically, communicate to broader publics, and will organize collectively to implement and fight for a radical vision of democracy. There is nothing that guarantees the existence of a sustainable radical democracy. Democracy in all of its forms has to be fought for, struggled over, and such struggles have to be relentless because of the possibility that democracy can never guarantee its own existence.[32] The struggle against casino capitalism must begin as not only a struggle over power, but as a concerted and widespread attempt to make education central to politics, to address what it means to change the way in which people see things, learn how to govern rather than be governed, and embrace a collective sense of agency in which history and the future is open.

#### Two impacts –

#### A. Controls the internal link to all critical approaches – to turn their theory into praxis requires agonism: only accepting the contestability of every principle allows us to challenge hegemonic frames of knowledge.

Chantal Mouffe 10, political theorist, 7-25-2010, "Chantal Mouffe: Agonistic Democracy and Radical Politics," Pavilion #15, http://pavilionmagazine.org/chantal-mouffe-agonistic-democracy-and-radical-politics/

It is necessary at this point to introduce the category of hegemony, which will enable us to identify the nature of the agonistic struggle. To understand the political as the ever present possibility of antagonism, the absence of a final foundation and the undecidability that pervades every order must be acknowledged. It is precisely to this that the category of hegemony refers, and it indicates that every society is the product of practices that seek to institute an order in a context of contingency. Every social order is therefore hegemonic in nature, and its origin political. The social is thus constituted by sedimented hegemonic practices, that is, practices that conceal the originary acts of their contingent political institution and that appear to proceed from a natural order. This perspective reveals that every order results from the temporary and precarious articulation of contingent practices. Things could always have been different and every order is established through the exclusion of other possibilities. It is always the expression of a particular structure of power relations, and it is from here that its political character stems. Every social order that at a given moment is perceived as natural, together with the ‘common sense’ that accompanies it, is in fact the result of sedimented hegemonic practices and never the manifestation of an objectivity that one could consider external to the practices through which it was established. ¶ What is at stake in the agonistic struggle is the very configuration of the power relations that structure a social order and the type of hegemony they construct. It is a confrontation between opposing hegemonic projects that can never be reconciled rationally. The antagonistic dimension is therefore always present but it is enacted by means of a confrontation, the procedures for which are accepted by the adversaries. The agonistic model that I propose acknowledges the contingent character of the hegemonic articulations that determine the specific configuration of a society at a given moment; as pragmatic and contingent constructions, they can always be disarticulated and transformed by the agonistic struggle. Unlike the liberal models, such an agonistic perspective takes account of the fact that every social order is politically instituted and that the ground on which hegemonic interventions occur is never neutral for always the product of previous hegemonic practices. Far from envisaging the public sphere, as for example Habermas does, as fertile ground in the search for consensus, my agonistic approach conceives it as the battlefield on which hegemonic projects confront one another, with no possibility whatsoever of a final reconciliation.

#### B. Enables the inclusion of the marginalized – their claims will always seem unreasonable.

Andrew Schaap 6, Centre for Applied Philosophy and Public Ethics, University of Melbourne,, 3-2006, "Agonism in divided societies," Philosophy & Social Criticism, http://psc.sagepub.com/content/32/2/255.short?rss=1&ssource=mfc

Because it presupposes commonality in terms of an anticipated moral consensus rather than recognizing commonality as a contingent outcome of political interaction, deliberative democracy tends to neglect the political nature of its own exclusions. In particular, the requirement that particular claims should be reasonable may prevent certain objections to a dominant order from being raised in the first place.35 If Mouffe is correct that reasoning always takes place within a particular tradition, then those members of society who articulate the overlapping moral consensus are likely to sound more reasonable than those who are marginalized by this dominant tradition.36 The requirement that particular claims should be represented in terms of the general principles of public reason may therefore have the effect of silencing certain claims because they appear unreasonable or are simply inexpressible in these terms.37 As Sheldon Wolin puts it, public reason may then appear not so much as a neutral but a ‘neutralising principle’.38

### C2: Censorship

#### Censorship is a bad political strategy –

#### First, backlash – the attempt to close political space is always imperfect and engenders resistance – censoring speech doesn’t change minds but redirects them – that threatens institutions and leaves supporters less prepared to defend their gains. Resistance to abortion proves.

Bonnie **Honig 93**, Nancy Duke Lewis Professor in the departments of Modern Culture and Media (MCM) and Political Science at Brown, 4-15-1993, "Political Theory And The Displacement Of Politics," Cornell University Press.

**The perpetuity of contest is not easy to celebrate. My** own **afﬁrmation** of it **is animated**, not by the benighted teleological belief that politically active lives are necessarily fuller or more meaningful than their alternatives, but **by my conviction that the displacement of politics** with law or administration **engenders remainders that could disempower and perhaps even undermine democratic institutions and citizens.** The US. Supreme Court’s recent decision in Planned Parenthood of Southeastern Pennsylvania v. Carey supplied compelling new justiﬁcations for a woman's right to control her sexuality and reproductive freedom, but it also endorsed new restrictions on that right. **When a woman’s right to choose was ﬁrst recognized in** 1973 by a very different Court in **Roe v. Wade, many** citizens **celebrated the** Court‘s **decision as the end of a battle. Those opposed** to the decision, **however, vowed to roll back Roe v. Wade and. nineteen years later, they** have **had great success.**6 **The battle is being refought** in the Court and in the state houses. **Those who thought it was won in 1973 were surprised** by this sequence of events. **Many assumed that, once juridically recognized, the right** to abort a pregnancy **would never be returned to** the space of **political contest. In the past two decades they went on to ﬁght other battles, doing relatively little to mobilize citizens and communities to protect and stabilize this new right, leaving pro-life organizations relatively free to repoliticize and redeﬁne the issues.** In response to the juridical settlement of a woman's right to choose, pro-lifers focused on the fetus and the family and on the relations of obligation and responsibility that tie women to them. Soon abortion became known as baby killing. pro-choice became antifamily, and pregnant single women became icons of danger whose wanton, (literally) unregulated sexuality threatens the safety and the identity of the American family. These identities and identiﬁcations are not stable. But in the absence of resistance to them, they could be stabilized. That realization has energized pro-choice citizens into action in the last few years. and the sites of the battle are proliferating. ¶ These observations are by no means meant to imply that it would be better not to entrench a woman's right to terminate a pregnancy—that is a different debate, one that turns on considerations of political strategy and equal justice. My point is that **there is a lesson to be learned from the experience of those who misread Roe** as the end of a battle **and later found themselves ill equipped and unprepared** to stabilize and secure their still unstable rights **when they were repoliticized and contested by their opponents. In their mistaken belief that the agon had been successfully shut down** by law, **pro-choice citizens** ceded the agon to their opponents and **found**, years later, **that the terms of the contest had shifted against them. Disempowered by their belief that the law had settled the issue without remainder, they failed to engage the concerns of moderate citizens who harbored doubts about the morality of abortion, leaving them and their doubts to be mobilized and radicalized by those who had no doubts about the practice‘s immorality and who were determined to see it outlawed again.**7 ¶ **To afﬁrm the perpetuity of contest is** not to celebrate a world without points of stabilization; it is **to afﬁrm** the **reality** of perpetual contest. even within an ordered setting, and to identify the afﬁrmative dimensions of contestation. It is to see that **the always imperfect closure of political space tends to engender remainders and** that, **if** those remainders are **not engaged, they may return to haunt and destabilize the very closures that deny their existence.** It is to treat rights and law as a part of political contest rather than as the instruments of its closure It is to see that attempts to shut down the agon perpetually fail, that the best (or worst) they do is to displace politics onto other sites and topics, where the struggle of identity and difference, resistance and closure, is then repeated.8 These are the platforms of a virtu) theory of politics

#### The terminal impact is right-wing revanchism, militarism and global disaster.

Rorty, Richard, Stanford Philosophy Professor, Achieving Our Country, pp. 87-94)

If the formation of hereditary castes continues unimpeded, and if the pressures of globalization create such castes not only in the United States but in all the old democracies, we shall end up in an Orwellian world. In such a world, there may be no supernational analogue of Big Brother, or any official creed analogous to Ingsoc. But there will be an analogue of the Inner Party—namely, the international, cosmopolitan super-rich. They will make all the important decisions. The analogue of Orwell’s Outer Party will be educated, comfortably off, cosmopolitan professionals—Lind’s “overclass,” the people like you and me. The job of people like us will be to make sure that the decisions made by the Inner Party are carried out smoothly and efficiently. It will be in the interest of the international super-rich to keep our class relatively prosperous and happy. For they need people who can pretend to be the political class of each of the individual nation-states. For the sake of keeping the proles quiet, the super-rich will have to keep up the pretense that national politics might someday make a difference. Since economic decisions are their prerogative, they will encourage politicians, of both the Left and the Right, to specialize in cultural issues.7 The aim will be to keep the minds of the proles elsewhere—to keep the bottom 75 percent of Americans and the bottom 95 percent of the world’s population busy with ethnic and religious hostilities, and with debates about sexual mores. If the proles can be distracted from their own despair by media-created psuedo-events, including the occasional brief and bloody war, the super-rich will have little to fear. Contemplation of this possible world invites two responses from the Left. The first is to insist that the inequalities between nations need to be mitigated—and, in particular, that the Northern Hemisphere must share its wealth with the Southern. The second is to insist that the primary responsibility of each democratic nation-state is to its own least advantaged citizens. These two responses obviously conflict with each other. In particular, the first response suggests that the old democracies should open their borders, whereas the second suggests that they should close them.8 The first response comes naturally to academic leftists, who have always been internationally minded. The second response comes naturally to members of trade unions, and to the marginally employed people who can most easily be recruited into right-wing populist movements. Union members in the United States have watched factory after factory close, only to reopen in Slovenia, Thailand, or Mexico. It is no wonder that they see the result of international free trade as prosperity for managers and stockholders, a better standard of living for workers in developing countries, and a very much worse standard of living for American workers. It would be no wonder if they saw the American leftist intelligentsia as on the same side of the managers and stockholders—as sharing the same class interests. For we intellectuals, who are mostly academics, are ourselves quite well insulated, at least in the short run, from the effects of globalization. To make things worse, we often seem more interested in the workers of the developing world than in the fate of our fellow citizens. Many writers on socioeconomic policy have warned that the old industrialized **democracies are heading into a** Weimar-like **period**, one **in which populist movements are likely to overturn** constitutional **governments**. Edward Luttwak, for example, has suggested that fascism may be the American future. The point of his book The Endangered American Dream is that members of labor unions, and unorganized unskilled workers, will sooner or later realize that their government is not even trying to prevent wages from sinking or to prevent jobs from being exported. Around the same time, they will realize that suburban white-collar workers—themselves desperately afraid of being downsized—are not going to let themselves be taxed to provide social benefits for anyone else. At that point, something will crack. **The nonsuburban electorate will decide that the system has failed and start looking** around **for a strongman** to vote for—someone will assure them that, once he is elected, the smug bureaucrats, tricky lawyers, overpaid bond salemen, and postmodernist professors will no longer be calling the shots. A scenario like that of Sinclair Lewis’ novel *It Can’t Happen Here* may then be played out. For once such a strongman takes office, nobody can predict what will happen. In 1932, most of the predictions made about what would happen if Hindenburg named Hitler chancellor were wildly overoptimistic. **One thing that is very likely to happen is that the gains made in the past forty years by black and brown Americans, and by homosexuals, will be wiped out**. Jocular contempt for women will come back into fashion. The words “nigger” and “kike” will once again be heard in the workplace. **All the sadism which the academic Left has tried to make unacceptable to its students will come flooding back**. All the resentment which badly educated Americans feel about having their manners dictated to them by college graduates will find an outlet. But such a renewal of sadism will not alter the effects of selfishness. For after **my imagined strongman** takes charge, he **will** quickly **make peace with the** international **superrich**, just as Hitler made with the German industrialists. He **will** invoke the glorious memory of the Gulf War to **provoke military adventures which will generate short-term prosperity**. He will be a disaster for the country and the world. Peop**le will wonder** why there was so little resistance to his evitable rise. **Where**, they will ask, **was the American Left**? Why was it only rightists like Buchanan who spoke to the workers about the consequences of globalization? Why could not the Left channel the mounting rage of the newly dispossesed? It is often said that we Americans, at the end of the twentieth century, no longer have a Left. Since nobody denies the existence of what I have called **the cultural Left**, this amounts to an admission that that Left **is unable to engage in national politics**. It is not the sort of the Left which can be asked to deal with the consequences of globalization. To get the country to deal with those consequences, the present cultural Left would have to transform itself by opening relations with the residue of the old reformist Left, and in particular with the labor unions. It would have to talk much more about money, even at the cost of talking less about stigma. I have two suggestions about how to effect this transition. The first is that the Left shouldput a moratorium on theory. It should try to kick its philosophy habit. The second is that the Left should try to mobilize what remains of our pride in being Americans. It should ask the public to consider how the country of Lincoln and Whitman might be achieved. In support of my first suggestion, let me cite a passage from Dewey’s *Reconstruction in Philosophy* in which he expresses his exasperation with the sort of sterile debate now going on under the rubric of “individualism versus communitarianism.” Dewey thought that all discussions which took this dichotomy seriously suffer from a common defect. They are all committed to the logic of general notions under which specific situations are to be brought. What we want is light upon this or that group of individuals, this or that concrete human being, this or that special institution or social arrangement. For such a logic of inquiry, the traditionally accepted logic substitutes discussion of the meaning of concepts and their dialectical relationships with one another. Dewey was right to be exasperated by sociopolitical theory conducted at this level of abstraction. He was wrong when he went on to say that ascending to this level is typically a rightist maneuver, one which supplies “the apparatus for intellectual justifications of the established order.”9 For such ascents are now more common on the Left than on the Right. The contemporary academic Left seems to think that the higher your level of abstraction, the more subversive of the established order you can be. The more sweeping and novel your conceptual apparatus, the more radical your critique. When one of today’s academic leftists says that some topic has been “inadequately theorized,” you can be pretty certain that he or she is going to drag in either philosophy of language, or Lacanian psychoanalysis, or some neo-Marxist version of economic determinism. Theorists of the Left think that dissolving political agents into plays of differential subjectivity, or political initiatives into pursuits of Lacan’s impossible object of desire, helps to subvert the established order. Such subversion, they say, is accomplished by “problematizing familiar concepts.” Recent attempts to subvert social institutitons by problematizing concepts have produced a few very good books. They have also produced many thousands of books which represent scholastic philosophizing at its worts. The authors of these purportedly “subversive” books honestly believe that the are serving human liberty. But it is almost impossible to **clamber** back **down from their books to a level** of abstraction **on which one might discuss the merits of** a law, a treaty, a candidate or a political strategy. Even though what these authors “theorize” is often something very concrete and near at hand—a curent TV show, a media celebrity, a recent scandal—they offer the most absract and barren explanations imaginable. These futile attempts to philosophize one’s way into political relevance are a symptom of what happens when a Left retreats from activism and adopts a spectatorial approach to the problems of its country. **Disengagement from practice produces theoretical hallucinations.** These result in an intellec- tual environment which is, as Mark Edmundson says in his book Nightmare on Main Street, Gothic. The cultural Left is haunted by ubiquitous specters, the most frightening of which is called "power." This is the name of what Edmund- son calls Foucault's "haunting agency, which is everywhere and nowhere, as evanescent and insistent as a resourceful spook."10

#### Second, speech codes are clear policy failures – they don’t decrease bigotry, but they’re used against those they’re seeing to help.

Conor Friedersdorf 15, 12-10-2015, "The Lessons of Bygone Free-Speech Fights," Atlantic, http://www.theatlantic.com/politics/archive/2015/12/what-student-activists-can-learn-from-bygone-free-speech-fights/419178/

He was writing after the University of Michigan, the University of Wisconsin, and Stanford implemented speech codes targeted at racist and sexist speech. These were efforts to respond to increasing diversity on campuses, where a number of students spewed racist and sexist speech that most everyone in this room would condemn. But those speech codes were policy failures. There is no evidence that hate speech or bigotry decreased on any campus that adopted them. At Michigan, the speech code was analyzed by Marcia Pally, a professor of multicultural studies, who found that “black students were accused of racist speech in almost 20 cases. Students were punished only twice under the code’s anti-racist provisions, both times for speech by or on behalf of blacks.”

#### Third, retargeting – people with the ideologies you want to censor are still out there and use the censorship apparatus against you.

Bart **Cammaerts 9**, London School of Economics and Political Science, England, 11-2009, "Radical pluralism and free speech in online public spaces," International Journal of Cultural Studies, http://eprints.lse.ac.uk/27895/1/Radical\_pluralism\_and\_free\_speech\_in\_online\_public\_spaces\_(LSERO).pdf

However, in a context where a powerful extreme right actively propagates such racist ideologies, both implicitly and explicitly, this becomes another issue altogether. And it is here that the limits of a radical plurality of voices within a democracy expose themselves. It is therefore to some extent understandable that some Belgian politicians from left to right, from federalists to nationalists are calling for more pro-active government intervention regarding online hate speech, preferably at a European level of governance. Of course, given the deeply offensive and repulsive nature of many of the comments being made online and the context in which they were produced, it is difficult to remain neutral here; rational detachment is not an option. Such vitriolic discourses should make any democratic person angry, demanding that something be done about this. The question remains what that something then is. **Whilst** laws and **regulation** or even technical solutions **might be able to remove some of these discourses from the public space,** therefore **the ideas and ideology** behind these discourses **have not disappeared from the political.** It might be useful in this regard to briefly recount Butler’s (1997) work on ‘excitable speech’ in which she uses Foucault’s History of Sexuality to argue that forbidding hate-speech all together through (state) censorship above all aids in proliferating these discourses further throughout society. This can also be related to what Mouffe calls the inherently conflictual nature of the political. Butler is not per se against limitations to the freedom of speech, but points to the need to be aware of the difficulties of combating hate speech through legal measures and the practical consequences of this. She refers to difficult questions such as: who defines what is hurtful, offensive, wounding or injurious speech and what is the context in which such language is being used? But whilst there might be an overall consensus that the discourses being discussed in this paper are totally unacceptable and do not belong in a democracy, not even from the perspective of a radical democracy or pluralism, the question of where and how we draw the line as a democracy between what is acceptable within a pluralist perspective and what is not? And how is this then implemented and enforced? Internet filtering and monitoring remain technical and policy options when it comes to combating hate speech on the internet. However, active **censorship** in a democracy **tends to backfire**s in several ways. In relation to this case study, it could be argued that democracy might lose out in two ways. **First, anti-democratic forces are able to construct democratic parties and institutions as ‘undemocratic’** on a continuous basic, claiming that they suppress ‘the true thoughts of the people’, **using** in effect **the formal rules of democracy to destroy democratic culture** arguing for a democratic right to be a racist. **Second, how to guarantee that once a regime of content control online is in place, it will not be used to silence other voice**s that at some future moment in time are considered to be undesirable by a majority? And do we really want content on the internet controlled, monitored and filtered on a permanent basis? This is, however, by no means a plea for complacency and/or ignorance, but to carefully think through the implications of intervention to exclude voices from public spaces of communication and interaction all together. Efforts to combat the incitement of hatred through democratic and legal ways should be encouraged, ‘in order to to secure a minimum of civility’ (Rosenfeld, 2001: 63). Exposure in the mainstream media of those that produce such discourses and formal legal complaints by racism watchdogs are important and fairly effective tools for achieving that (except when anonymity is invoked). **The embracement of censorship** of online content by democratic societies in addition to this, would not only represent crossing the rubicon, but also **focuses merely on removing some of the symptoms of racism, not the root causes of it.**

#### UC proves – government interests aggressively pushed anti-BDS speech codes. They become political pawns and give more influence to the people already in charge

Conor Friedersdorf 16 (a staff writer at The Atlantic, where he focuses on politics and national affairs; the founding editor of The Best of Journalism) “The Glaring Evidence That Free Speech Is Threatened on Campus” The Atlantic, March 4, 2016. http://www.theatlantic.com/politics/archive/2016/03/the-glaring-evidence-that-free-speech-is-threatened-on-campus/471825/

Or forget big speeches and look to another example of left-leaning speech that is threatened. As Glenn Greenwald wrote at The Intercept, “One of the most dangerous threats to campus free speech has been emerging at the highest levels of the University of California system, the sprawling collection of 10 campuses that includes UCLA and UC Berkeley. The university’s governing Board of Regents, with the support of University President Janet Napolitano and egged on by the state’s legislature, has been attempting to adopt new speech codes that—in the name of combating ‘anti-Semitism’—would formally ban various forms of Israel criticism.” He continued: Under the most stringent such regulations, students found to be in violation of these codes would face suspension or expulsion. In July, it appeared that the Regents were poised to enact the most extreme version, but decided instead to push the decision off until September, when they instead would adopt non-binding guidelines to define “hate speech” and “intolerance.” One of the Regents most vocally advocating for the most stringent version of the speech code is Richard Blum, the multi-millionaire defense contractor who is married to Sen. Dianne Feinstein of California. At a Regents meeting last week, reported the Los Angeles Times, Blum expressly threatened that Feinstein would publicly denounce the university if it failed to adopt far more stringent standards than the ones it appeared to be considering, and specifically demanded they be binding and contain punishments for students found to be in violation. The San Francisco Chronicle put it this way: “Regent Dick Blum said his wife, U.S. Sen. Dianne Feinstein, D-Calif., ‘is prepared to be critical of this university’ unless UC not only tackles anti-Jewish bigotry but also makes clear that perpetrators will be punished.” The lawyer Ken White wrote that “Blum threatened that his wife … would interfere and make trouble if the Regents didn’t commit to punish people for prohibited speech.” As campus First Amendment lawyer Ari Cohn put it the following day, “Feinstein and her husband think college students should be expelled for protected free speech.”

#### Institutional silencing outweighs any possible individuals acts of silencing that the neg could prove like hate speech:

#### A. Institutional silencing reproduces itself because the structure of the institution remains relatively constant, so it will continue.

#### B. Institutional criticism is necessary for broader change—individuals can change but rules are a starting point which means that silencing of criticism controls the internal link to social change.

#### Fourth, To silence problematic speech is to both legitimate it and aid in its dissemination—links turns arguments about problematic speech

Oliver Rosenbloom 11 (Summer Intern @ FIRE), "Can a College that Protects Free Speech be ‘Gay-Friendly’?", Foundation for Individual Rights in Education, 07/26/2011, [*https://www.thefire.org/can-a-college-that-protects-free-speech-be-gay-friendly/*](https://www.thefire.org/can-a-college-that-protects-free-speech-be-gay-friendly/)

Like any other list of rankings, people can validly agree or disagree with the outcomes. But the fact that Newsweek perceives Penn as being very gay-friendly shows that that perception does not have to be dependent upon the existence of policies that silence the mouths of those who disagree with a campus’s stance on political and social issues. While it seems that nothing will prevent them from trying, it is crucial to realize that beliefs and attitudes cannot be imposed from above by college administrators. Speech codes are attempts to force a superficial veneer of civility or "right-thinking" onto free individuals. Noted civil libertarian Jonathan Rauch writes of the futility of censoring unpopular ideas in his book Kindly Inquisitors: The New Attacks on Free Thought: The Inquisition failed to keep Copernicanism down. All it did was slow the progress of knowledge and kill people. The new inquisitions won’t work any better. Attempts to suppress beliefs only succeed in calling attention to them and making them causes célèbres. The insistence that racist or homophobic or any other opinions not be tolerated only guarantees that any college sophomore can make the headlines by being outspokenly racist or homophobic, and for many sophomores the temptation is too much to resist. Nasty speech gets nastier as people get angry and start picking fights. Outrage escalates on every side. But nobody’s mind is changed.

Finally, Social science proves that couterspeech is a more effective remedy to hate speech– studies should outweigh. **Strossen 1** (Nadine, National President, American Civil Liberties Union; Professor of Law, New York Law School, 25 S. Ill. U. L. J. 243, “Incitement to Hatred: Should There Be a Limit?”, lexis)

**A study** that was done by a professor at Smith College in Massachusetts **demonstrated the effectiveness of this kind of counterspeech in combating** bias and **prejudice.** It showed that **when a student who hears a statement conveying discriminatory attitudes also promptly hears a rebuttal to that statement-**especially from someone in a leadership position-**then the student will probably not be persuaded by the initial statement**. Dr. Fletcher Blanchard, a psychologist at the college who conducted the experiment, concluded that "**A few outspoken people who are vigorously anti-racist can establish the kind of social climate that discourages racist acts.**' "'2 Thus, this study **provides empirical social scientific support for the free speech maxim**

1. Tejeda, Carlos, Manuel Espinoza, and Kris Gutierrez. "Toward a decolonizing pedagogy: Social justice reconsidered." Pedagogies of difference: Rethinking education for social change (2003): 9-38. [↑](#footnote-ref-1)
2. (Makani, Executive Director of The Praxis Project, a nonprofit organization helping communities use media and policy advocacy to advance health equity and justice. “Changing the Rules: What Public Policy Means for Organizing” Colorlines 3.2) [↑](#footnote-ref-2)
3. José Medina [Professor of Philosophy at Vanderbilt] "Toward a Foucaultian Epistemology of Resistance: Counter-Memory, Epistemic Friction, and Guerrilla Pluralism", Foucault Studies No. 12 (2011), 9-35. [↑](#footnote-ref-3)